



PATENT

Our Docket: 66661-016 (P-IS 4367)

RECEIVED

SEP 04 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **TECH CENTER 1600/2900**

In Re Application of:  
Biaoyang Lin

Serial No.: 09/729,653

Filed: December 4, 2000

For: PROSTATE-SPECIFIC POLYPEPTIDE)  
PAMP AND ENCODING NUCLEIC )  
ACID MOLECULES )

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

) Confirmation No.: 3087

) Examiner: M. Davis

) Group Art Unit: 1642

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"

) "EXPRESS MAIL" MAILING LABEL NUMBER: EL 985983015 US

) DATE OF DEPOSIT: August 27, 2003

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER  
37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS  
ADDRESSED TO: Mail Stop RCE, COMMISSIONER FOR PATENTS,  
P.O. BOX 1450 ALEXANDRIA, VA 22313-1450.

*Paul Choi*  
(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)

*Paul Choi*  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

RESPONSE TO OFFICE ACTION

Responsive to the Office Action mailed  
February 27, 2003, entry of the following amendments and  
consideration of the following remarks respectfully is requested.

#  
22/c  
150  
9/12/03

CLAIM AMENDMENTS

Amendments to the claims are reflected in the listing  
of current status of claims that begins of page 2 of this paper.  
Currently amended claims are presented with markings to indicate  
changes made relative to the immediate prior version by  
underlining of added text and strikethrough of deleted text  
having six or more characters.

Remarks/Arguments begin on page 5 of this paper.

AUG 29 2003

300 1600



AMENDMENT TRANSMITTAL LETTER			CLIENT-MATTER NO.: 66661-016 (P-IS 4367)	
SERIAL NO: 09/729,653	FILING DATE: December 4, 2000	EXAMINER: M. Davis	GROUP ART UNIT: 1642 CONFIRMATION NO.: 3087	
INVENTION: PROSTATE-SPECIFIC POLYPEPTIDE PAMP AND ENCODING NUCLEIC ACID MOLECULES				

RECEIVED

SEP 04 2003

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" MAILING LABEL NUMBER: EL 98598300

DATE OF DEPOSIT: August 27, 2003

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER  
37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS  
ADDRESSED TO: Mail Stop RCE, COMMISSIONER FOR PATENTS,  
P.O. BOX 1450 ALEXANDRIA, VA 22313-1450.

Paul Choi  
(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)  
Paul Choi  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

TECH CENTER 1600/2900

Transmitted herewith is a Request for Continued Examination  
(RCE) in response to the Final Office Action mailed  
February 27, 2003, in the above-identified application.

- ☒ Small Entity status of this application has been  
established under 37 CFR 1.27.
- ☒ Petition for a three month Extension of Time is  
enclosed (in duplicate).
- ☒ Response to the Office Action mailed February 27, 2003.
- ☒ Exhibit A with attached Figures 1-4 and Table 1
- ☒ No additional claims fee is required.

\_\_\_ An additional claims fee is required and has been  
calculated as shown below:

## CLAIMS AS AMENDED

	NUMBER AFTER AMEND- MENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE			FEE	
							SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	8	-	29	-	0	x	\$9	\$18	=	\$0	\$
INDEPEN- DENT CLAIMS	4	-	9	-	0	x	\$42	\$84	=	\$0	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			___ YES		___ X ___ NO		\$140	\$280	=	\$0	\$
							TOTAL ADDITIONAL FEE			\$0	\$

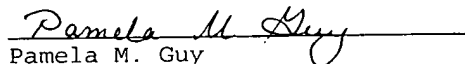
- \* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in  
this space.
- \*\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in  
this space.
- \*\*\* If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST  
NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.

NOT AVAILABLE COPY

Inventor: Biaoyang Lin  
Serial No.: 09/729,653  
Filed: December 4, 2000  
Page 2

- X Please charge my Deposit Account No. 502624 the amount of \$840.00, \$465.00 of which covers the fee for a three-month extension of time and \$375.00 of which covers the fee for Request for Continued Examination. A duplicate copy of this sheet is enclosed.
- X The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.
- X The Commissioner is hereby authorized to charge to Deposit Account No. 502624 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
Pamela M. Guy  
Registration No. 51,228  
McDERMOTT, WILL & EMERY  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
858-535-9001

**BEST AVAILABLE COPY**



PATENT

Our Docket: 66661-016 (P-IS 4367)

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 04 2003

In Re Application of:  
Biaoyang Lin

Serial No.: 09/729,653

Filed: December 4, 2000

For: PROSTATE-SPECIFIC POLYPEPTIDE)  
PAMP AND ENCODING NUCLEIC )  
ACID MOLECULES )

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

) Confirmation No.: 3087  
) Examiner: M. Davis  
) Group Art Unit: 1642

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"

) "EXPRESS MAIL" MAILING LABEL NUMBER: EL 985983015 US

) DATE OF DEPOSIT: August 27, 2003

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER  
37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS  
ADDRESSED TO: Mail Stop RCE, COMMISSIONER FOR PATENTS,  
P.O. BOX 1450 ALEXANDRIA, VA 22313-1450.

Paul Choi  
(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)  
[Signature]  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

REQUEST FOR CONTINUED EXAMINATION

This is a request for continued examination of the  
above-identified application. 37 C.F.R. § 1.114.

At least one of the following submissions is being  
filed herewith:

X Amendment or Response  
X Declaration or Affidavit

Please charge my Deposit Account No. 502624 the  
required fee of \$375.00 for small entity. 37 C.F.R. § 1.17(e).  
The Commissioner is hereby authorized to charge payment or credit  
any overpayment to Deposit Account No. 502624 for any of the  
following fees: additional filing fees under 37 C.F.R. § 1.16,  
patent application processing fees under 37 C.F.R. § 1.17, or any  
fees under 37 C.F.R. § 1.17 that may be required under 37 C.F.R.  
§ 1.136(a)(3) for an extension of time in any concurrent or  
future reply requiring a petition for extension of time. A  
duplicate copy of this sheet is enclosed.

09/02/2003 MBERHE 00000100 502624 09729653

01 FC:2801 375.00 DA

#21  
10  
9/12/03

Inventor: Biaoyang Lin  
Serial No.: 09/729,653  
Filed: December 4, 2000  
Page 2

Accordingly, Applicant respectfully request withdrawal of the finality of the outstanding office action, and consideration of the submission. The Examiner is invited to call the undersigned agent or Cathryn Campbell with any questions.

Respectfully submitted,

August 27, 2003  
Date

Pamela M. Guy  
Pamela M. Guy  
Registration No. 51,228  
Telephone No. (858) 535-9001  
Facsimile No. (858) 535-8949

McDERMOTT, WILL & EMERY  
4370 La Jolla Village Drive,  
7th Floor  
San Diego, California 92122